

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

LYNN CALER,

Petitioner,

Case No. 1:06-cv-172

v

HON. JANET T. NEFF

CAROLE HOWES,

Respondent.

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**FINAL ORDER**

This is a habeas corpus petition filed pursuant to 28 U.S.C. § 2254. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation, recommending that this Court deny the petition. The Report and Recommendation was duly served on the parties. No objections have been filed, see 28 U.S.C. § 636(b)(1), and the Court issues this Judgment pursuant to FED. R. CIV. P. 58.

**THEREFORE, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge (Dkt 48) is APPROVED and ADOPTED as the opinion of the Court and the petition for habeas corpus relief (Dkt 1) is DENIED for the reasons stated in the Report and Recommendation.

**IT IS FURTHER ORDERED** that a certificate of appealability pursuant to 28 U.S.C. § 2253(c) is DENIED as to each issue asserted. Petitioner has not demonstrated that reasonable jurists would find the Court's rulings debatable or wrong. *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *Murphy v. Ohio*, 263 F.3d 466, 466-67 (6th Cir. 2001).

Date: February 20, 2009

/s/Janet T. Neff

JANET T. NEFF

United States District Judge